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Notice of Allowability

Application No.

10/751,290

Examiner

DAVID VU

Applicant(s)

WODNICKI, ROBERT G.

Art Unit

2818

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 10/13/05.
2. ☒ The allowed claim(s) is/are 1-4.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date 01/01/04
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____.
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.


DAVID VU
PRIMARY EXAMINER

DETAILED ACTION

Election/Restrictions

1. This application is in condition for allowance except for the presence of claims 5-14 non-elected without traverse. Since Applicant cancelled all of the claims to the non-elected invention, the restriction requirement is deemed moot.
2. Cancel claims 5-14.

Reason for allowance

3. Claims 1-4 are allowed.
4. The following is an examiner's statement of reason for allowance:

With regard to method claims 1-2, the prior art of record, either singularly or in combination, does not disclose or suggest at least the claim limitations of “placing said mask over a substrate comprising a hexagonal arrangement of CMOS cells having axes of symmetry respectively aligned with the axes of a second fixed rectilinear frame of reference, and a second alignment key having an axis aligned with an axis of said second fixed rectilinear frame of reference, said mask being placed so that said first alignment key is aligned with said second alignment key” as instantly claimed and in combination with the additionally claimed method steps.

With regard to method claims 3-4, the prior art of record, either singularly or in combination, does not disclose or suggest at least the claim limitations of “placing said mask over a substrate comprising a hexagonal arrangement of CMOS cells having orthogonal axes of symmetry respectively aligned with the axes of a second fixed rectilinear frame of reference, and a second alignment key having an axis aligned with an axis of said second fixed rectilinear frame of reference, said mask being placed so that said first alignment key is aligned with said second alignment key” as instantly claimed and in combination with the additionally claimed method steps.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance".

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US Pat. 6,571,445 – discloses the ultrasonic transducer is comprised of a number of interconnected transducer cells. The transducer cells are electrically connected together to form a single ultrasonic transducer. Multiple transducers can be formed on the same substrate in an array. The ultrasonic transducers, and each of the transducer cells formed therein, are formed at the same time

US Pat. 6,659,954 – discloses a MUT is formed on a substrate and an acoustic cavity is formed within the substrate at a location below the MUT; and at least one monolithic semiconductor circuit is formed in the substrate that may be operatively coupled to the MUTs, the circuit being positioned in a non-etched portion of the substrate.

US Pat. 6,632,178 – discloses the cMUT cells can be fabricated by conventional semiconductor processes and hence integrated with ancillary transducer circuitry such as a bias charge regulator. The cMUT cells can also be fabricated by micro-stereolithography whereby the cells can be formed using a variety of polymers and other materials.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Vu whose telephone number is 571-272-1798. The examiner can normally be reached on Monday-Friday 8:00am-5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Nelms can be reached on 571-272-1787. The fax phone numbers for the organization where this application or proceeding is assigned is (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR, Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



DAVID VU
PRIMARY EXAMINER